

2/3

# **Notice of Allowability**

**Application No.**

09/749,750

**Examiner**

Stephen Elmore

**Applicant(s)**

MAIYURAN ET AL.

**Art Unit**

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed July 30, 2004.
2. ☒ The allowed claim(s) is/are 21-35, renumbered as 1-15.
3. ☒ The drawings filed on 28 December 2000 and 30 July 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Stephen Elmore*  
Stephen Elmore

**EXAMINER'S AMENDMENT and REASONS FOR ALLOWANCE**

1. An examiner's amendment to the record appears below for correcting antecedent basis in these claims. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative, Robert L. Hails, Jr. (Reg. No. 39,702), on September 14, 2004.
3. The application has been amended as follows:

**IN THE CLAIMS**

Claim 23,

at line 2, replace "at least one microinstruction" with --a microinstruction--;  
at line 4, replace "a microinstruction" with --the microinstruction--;

Claim 27,

at line 2, replace "at least one microinstruction" with --a microinstruction--;  
at line 4, replace "a microinstruction" with --the microinstruction--;

Claim 29,

at line 2, replace "at least one microinstruction" with --a microinstruction--;  
at line 5, replace "a microinstruction" with --the microinstruction--;

Claim 31,

at line 2, replace "at least one microinstruction" with --a microinstruction--;  
at line 4, replace "a microinstruction" with --the microinstruction--;

Claim 34,

at line 2, replace "at least one microinstruction" with --a microinstruction--;  
at line 4, replace "a microinstruction" with --the microinstruction--;

Claim 35,

at line 2, replace "at least one microinstruction" with --a microinstruction--;  
at line 4, replace "a microinstruction" with --the microinstruction--;

**BEST AVAILABLE COPY**

### **REASONS FOR ALLOWANCE**

4. The following is an examiner's statement of reasons for allowance:

In independent claims 21, 23-25, 27, 29, 31, 34 and 35, directed towards a cache control method, the following limitations taken in combination with the claimed microinstruction limitations of each independent claim are not found in and or are not obvious in view of the prior art of record, including the closest prior art, publication "Selective Cache Ways: On-Demand Cache Resource Allocation," by David H. Albonesi, pp 248-259, IEEE, 1999;

**Claims 21, 24 and 25,**

the limitations,

"in response to a data request, generating at least one microinstruction within a cache, disabling predetermined portions of the cache based on the microinstruction";

**Claims 23, 27, 29, 31, 34 and 35,**

the limitations,

"in response to a data request, generating a microinstruction within a cache, disabling predetermined portions of the cache based on the microinstruction".

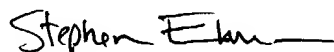
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Elmore whose telephone number is (703) 308-6256. The examiner can normally be reached on Mon-Fri from 7:30-4:00.

BEST AVAILABLE COPY

Art Unit: 2186

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stephen Elmore  
Assistant Examiner  
Art Unit 2186

September 15, 2004

BEST AVAILABLE COPY